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Drawing Amendments

There are no amendments to the drawings.

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Remarks

The Final Office Action of 01/14/2010 rejected claims 2-7 and 16-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,113,503 of D.L. Basore, et al. (hereafter referred to as Basore) in view of U.S. Patent Application Publication No. 2003/0095650 of G.W. Mize (hereafter referred to as Mize). Claims 2-4, 7, 16-18, and 21 are being amended. No claims are being canceled.

Rejection of claims 2-7 and 16-21 under 35 U.S.C. §103(a) over Basore in view of Mize

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. See M.P.E.P. § 2143. Additionally, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). This requirement is intended to prevent unacceptable "hindsight reconstruction" where applicant's invention is re-created from references using

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the application as a blueprint. The Applicants respectfully assert that the third criteria also has not been met since the combination of Basore and Mize fail to teach or suggest each limitation of the Applicants' claimed invention.

Consider whether the third criteria is met. Support for the amendments made to claims 2 and 16 may be found in the specification in Figure 1 and the text on Page 6, line 9 through Page 8, line 4. Amended claim 2 recites:

A method for providing telecommunication terminal status information to people having at least one of poor visual acuity and poor hearing, comprising the steps of:

receiving by a telephone set telecommunication terminal status information via a network;

establishing by a computer direct communication with the telephone set via the network where the computer controls a visual display separate from the telephone set;

directly accessing the telecommunication terminal status information from telephone set by the computer via the network;

emphasizing by the computer the accessed telecommunication terminal status information using visual enhancement; and

displaying by the computer the emphasized visual telecommunication terminal status information on the visual display to a user of the telephone set having at least one of poor visual acuity and poor hearing.

With respect to the step of receiving, the Office Action states "receiving telecommunication terminal status information by a telecommunication terminal via a network (col. 2, lines 31-59; a cable modem system and network interface device receive calls via the PSTN or an IP network; such calls include caller ID information)". Clearly, the Office Action is equating the recited "telecommunication terminal" with the "cable modem system (104 and 105) and network interface device (106)" of

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Figure 1 of Basore. Further, the Office Action equates the recited "network" with PSTN (101) and IP network (103) of Figure 1 of Basore. However, claim 2, as amended, now recites a "telephone set" rather than "a telecommunication terminal". Clearly, cable modem 104/105 and NID 106 are not a telephone set. The only telephone set illustrated in Figure 1 of Basore is phone 114. Phone 114 would receive telecommunication status information via PSTN 101, Gateway 102, IP network 103, cable modem 104/105 and NID 106.

With respect to the step of establishing, the Office Action states "establishing direct communication with the telecommunication terminal via the network....(fig. 1, elements 112; col. 2, lines 36-54; the NID routes caller ID data directly to a computer, which is capable of displaying that information to a user)". Clearly, the Office Action equates PC 112 of Figure 1 with the recited "computer". Also, the Office Action clearly states that the caller ID data is directly routed to the computer by NID 106. In addition, NID 106 directly routes caller ID data to telephone (phone) 114 (see Column 2, Lines 43-49). The recited step of establishing now clearly states "establishing direct communication with the telephone set via the network by a computer". There is no disclosure or suggestion in Basore of PC 112 directly establishing communication with telephone 114 via a network (PSTN 101 and IP 103) or establishing communication with telephone 114 via NID 106.

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With respect to the step of directly accessing, the Office Action states "directly accessing the telecommunication terminal status information from the telecommunication terminal by the computer via the network (fig. 1, elements 112; col. 2, lines 36-54; the NID routes caller ID data directly to a computer)". Again, claim 2, as amended, now recites "directly accessing the telecommunication terminal status information from the telephone set by the computer via the network". There is no disclosure or suggestion in Basore that PC 112 is accessing telephone 114 for "telecommunication terminal status information" even if PC 112 could directly access telephone 114. Nor, would there be any need do that since NID 106 is capable of routing telecommunication status information (caller ID information) directly to PC 112 as NID 106 receives that information from cable modem 104/105.

Mize was only cited for disclosing the steps of emphasizing and displaying and does not disclose or suggest the recited steps of establishing and accessing.

It is clear that the rejection under 35 U.S.C. §103 (a) based on Basore and Mize does not meet the third criteria since Basore and Mize do not singularly or in combination disclose the steps of establishing and accessing, as recited in amended claim 2.

Dependent claims 3-7 are directly dependent on amended claim 2 and are patentable for at least the same reasons as amended claim 2.

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Amended claim 16 and dependent claims 17-21 are patentable for at least the same reasons as amended claim 2 and claims 3-7.

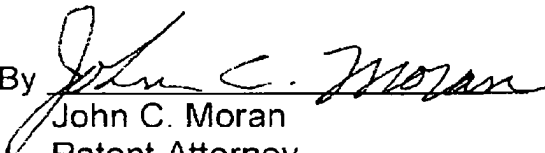
Summary

In view of the foregoing, applicants respectfully request consideration of amended claims 2-4, 7, 16-18, and 21, and reconsideration of the claims 5, 6, 19, and 20, and allowance of these claims.

Although the foregoing is believed to be dispositive of the issues in the application, if the Examiner believes that a telephone interview would advance the prosecution, the Examiner is invited to call applicants' attorney at the telephone number listed below.

Respectfully,

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